

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE MEDTRONIC, INC.
IMPLANTABLE DEFIBRILLATORS
PRODUCTS LIABILITY LITIGATION

MDL NO. 05-1726 (JMR/AJB)

**REPORT RECOMMENDING
DISMISSAL WITHOUT PREJUDICE**

This documents relates to:
Vaughn v. Medtronic, Inc., 0:06-cv-3696

Plaintiff, Grace Vaughn, filed a claim against Defendant in the District of Minnesota on September 12, 2006. This case was joined with the above-referenced MDL. Since that time, the MDL has been dissolved due to settlement. Plaintiffs did not participate in the settlement. On May 12, 2009, the Court held a hearing regarding the individual Plaintiff's Counsel's Motion to Withdraw.

Thereafter, on May 12, 2009, this Court entered an Order to Show Cause why this Case Should Not be Dismissed requesting response from Plaintiffs Centers with fifteen (15) days. Plaintiff failed to respond.

Accordingly, IT IS HEREBY RECOMMENDED that:

Plaintiff's claim against Defendant Medtronic, Inc., should be dismissed without prejudice.

Dated: June 15, 2009

s/ Arthur J. Boylan
Arthur J. Boylan
United States Magistrate Judge